



08-1108

IFW

Docket No.: 62568(71699)  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Marc A. Ostermeier et al.

Application No.: 10/588,114

Filed: July 27, 2006

For: METHODS FOR MAKING AND USING  
MOLECULAR SWITCHES INVOLVING  
CIRCULAR PERMUTATION

Confirmation No.: 3863

Art Unit: N/A

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Defective Response mailed July 10, 2008, Applicant respectfully submits a Sequence Listing Diskette, a Sequence Listing Paper Copy, a Statement to Support Filing and Submission in Accordance with 37 CFR §§ 1.821-1.825, and a Copy of Notification of Defective Response and Raw Sequence Listing.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 62568(71699). A duplicate copy of this paper is enclosed.

Dated: August 8, 2008

Customer No. 21874

Respectfully submitted,

By Gregory B. Butler  
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# UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/588,114	Marc Alan Ostermeier	62568(71699)

49383  
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INTERNATIONAL APPLICATION NO.	
PCT/US05/02633	
I.A. FILING DATE	PRIORITY DATE
01/28/2005	01/28/2004

**CONFIRMATION NO. 3863**  
**371 FORMALITIES LETTER**



Date Mailed: 07/10/2008

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 07/27/2006
- Copy of the International Search Report filed on 07/27/2006
- Preliminary Amendments filed on 07/27/2006
- Information Disclosure Statements filed on 07/27/2006
- Biochemical Sequence Diskette filed on 08/01/2007
- Oath or Declaration filed on 08/01/2007
- Biochemical Sequence Listing filed on 07/27/2006
- Small Entity Statement filed on 07/27/2006
- U.S. Basic National Fees filed on 07/27/2006
- Priority Documents filed on 07/27/2006
- Specification filed on 07/27/2006
- Claims filed on 07/27/2006
- Abstracts filed on 07/27/2006
- Drawings filed on 07/27/2006

Applicant's response filed 08/01/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 04/03/2007 have not been completed.

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Refer to attachment or PAIR document dated Sequence Listing could not be accepted.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR**

**1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHELBY J MILLER

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Telephone: (703) 308-9140 EXT 224



Application No. (if known): 10/588,114

Attorney Docket No.: 62568(71699)

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EM258211661US in an envelope addressed to:

MS Missing Parts  
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on August 8, 2008  
Date



Signature

Lynn Marcus

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 239-0100  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Response to Notice to File Missing Parts of Application (1 page)  
Statement to Support Filing and Submission in Accordance w/37 CFR  
1.821-1.825 (1 page)  
Sequence Listing Paper Copy (80 pages)  
Sequence Listing Diskette  
Copy of Notification of Defective Response (2 pages)  
Copy of Raw Sequence Listing (15 pages)